

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL L. OVERTON,

Plaintiff,

v.

CHCF WARDEN, et al.,

Defendants.

No. 2:20-cv-0794 AC P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

In an order issued April 30, 2020, plaintiff was directed to file a completed in forma pauperis affidavit and a certified copy of his prison trust account statement within thirty days. See ECF No. 7. At that time, plaintiff was cautioned that failure to do so would result in a recommendation that this action be dismissed. See id. at 2. The thirty-day period has now expired, and plaintiff has not responded to the court's order and has not filed the required documents.<sup>1</sup>

In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a District Court Judge to this case, and


---

<sup>1</sup> On May 20, 2020, plaintiff did file a letter with the court. See ECF No. 8. The letter, however, is largely unintelligible, referring to matters such as subject matter jurisdiction, fiduciary practices and a "felonious act" of stealing one of his packages. See id. The letter neither acknowledges the court's order that plaintiff file an in forma pauperis application, nor does it explain why he has not done so. See id.

1  
2 IT IS HEREBY RECOMMENDED that this action be DISMISSED without prejudice.

3 These findings and recommendations are submitted to the United States District Judge  
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one days  
5 after being served with these findings and recommendations, plaintiff may file written objections  
6 with the court. Such a document should be captioned "Objections to Magistrate Judge's Findings  
7 and Recommendations." Plaintiff is advised that failure to file objections within the specified  
8 time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153  
9 (9th Cir. 1991).

10 DATED: June 2, 2020

11   
12 ALLISON CLAIRE  
13 UNITED STATES MAGISTRATE JUDGE  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28